REMARKS

Claims 1-22 are currently pending. The Applicant is herein amending claims 1-3 and 8-22. The Applicant notes that the amendments are not intended as narrowing amendments. Rather, the amendments are intended to broaden or maintain the scope of the originally filed claims.

The Examiner's indication of allowability of claims 2-22 is noted with appreciation, as is the Examiner's acknowledgement of the priority claim and timely filed information disclosure statement.

The Examiner objected to the Figure 1-3, and requested that the reference numbers used to describe the Figures be added to the Figures. The Applicant has amended the Figures 1-3 accordingly. As such, the Applicant respectfully requests the examiner to withdraw this objection. The Applicant further notes that formalized drawings will be provided upon the Examiner's approval.

The Examiner objected to Figure 4 for including certain reference labels not expressly mentioned in the detailed description. The Applicant has amended to the detailed description at pages 17 and 18 to expressly state the noted reference labels in appropriate locations as indicated in the "Amendments to the Specification" section of this response. As such, the Applicant respectfully requests the examiner to withdraw this objection.

The Examiner objected to the title. The Applicant has amended the title, and believes the new title is appropriate. As such, the Applicant respectfully requests the examiner to withdraw this objection.

The Examiner objected to claims 1, 3, 5, 8, 9, 12, 17, 19, 21, and 22. The Applicant has amended the claims accordingly. As such, the Applicant respectfully requests the examiner to withdraw this objection.

Claims 1 was rejected under 35 U.S.C. § 102(e) as being anticipated by Koguchi (U.S. Patent No. 6,243,190).

The Applicant traverses this rejection. In addition, the Applicant has amended claim 1 to more clearly define the claimed invention.

As a preliminary matter, the Applicant does not concede that Koguchi has an effective

date that is prior to the Applicant's date of invention. However, in order to move this case to allowance, the Applicant will now discuss the deficiencies associated with the reference.

In order for Koguchi to render the claimed invention unpatentable, it must disclose or otherwise suggest each and every limitation recited in the claims. MPEP § 2131. Koguchi fails to satisfy this standard.

In particular, Koguchi does not disclose or suggest a "detector configured for emitting an optical calibration trigger signal upon detection of light" received through said at least one light collimating slit as recited in the Applicant's claim 1. Rather, Koguchi discloses light scanning apparatus that includes a control device for "controlling a stopping position" of a rotating reflector (e.g., Abstract; col. 3, lines 31-35; all claims). In more detail, Koguchi discloses that "when the rotation angle of the rotating reflector 72 determined by the angle sensor 168 becomes a certain angle, the control section 149 instructs the stopping of the rotation of the motor 144" (col. 15, lines 15-18; Figure 6). Thus, Koguchi merely discloses that the angle sensor 168 informs the control selection 149 that a desired stopping position has been reached, and the control section 149 signals the motor 144 to stop.

There is no disclosure or suggestion of emitting a calibration trigger signal. At best, Koguchi sensor 168 emits a "stop" signal. Simply stated, Koguchi is not concerned with calibration, and fails to use the term in even a general sense. For at least this reason, the Applicant respectfully submits that the claimed invention as defined in claim 1 is patentably distinct over Koguchi.

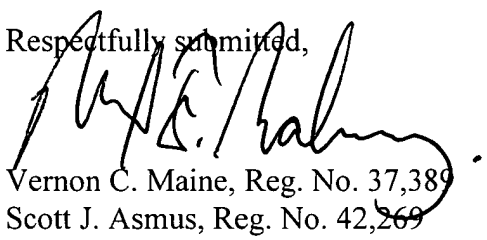
In addition, the Applicant has amended claim 1 to more clearly define the claimed invention. Claim 1 now recites, in part, an "optical calibration trigger system ... comprising: ... at least one stationary light detector ..., each detector configured for emitting an optical calibration trigger signal upon detection of light received through said at least one light collimating slit, thereby indicating a load coupled to said rotating element is at a known fiducial position within said full range of rotation; wherein upon occurrence of a said calibration trigger signal, said known fiducial position is compared to a concurrently measured position of said load, thereby generating a calibration error for adjusting a reported position."

The Examiner has indicated that comparing a known fiducial position to a concurrently measured position thereby generating a calibration error for adjusting a reported position is allowable. As such, the Applicant respectfully requests the Examiner to withdraw this rejection of claim 1.

Other amendments have been made to the claims in preparation for allowance. For example, various extraneous limitations have been removed and minor informalities corrected. The Applicant submits, however, that each claim is believed to be patentably distinct over the cited art as previously indicated by the Examiner.

The Applicant believes the above amendments and remarks to be fully responsive, thereby placing this application in condition for allowance. No new matter is added. Favorable action is solicited. The Examiner is kindly invited to contact the undersigned attorney by telephone, facsimile, or email for quickest resolution, if there are any remaining issues.

Respectfully submitted,



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Appl. No 10/057,168 Annotated Sheet

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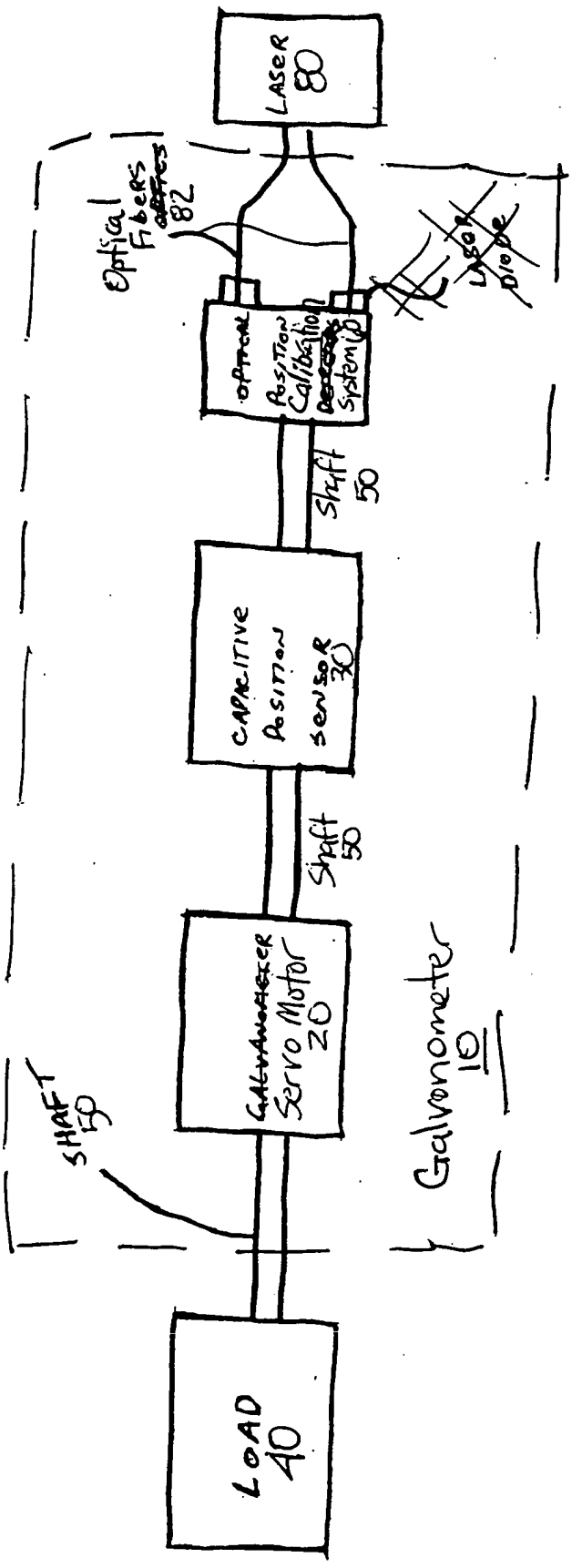


FIG. 1

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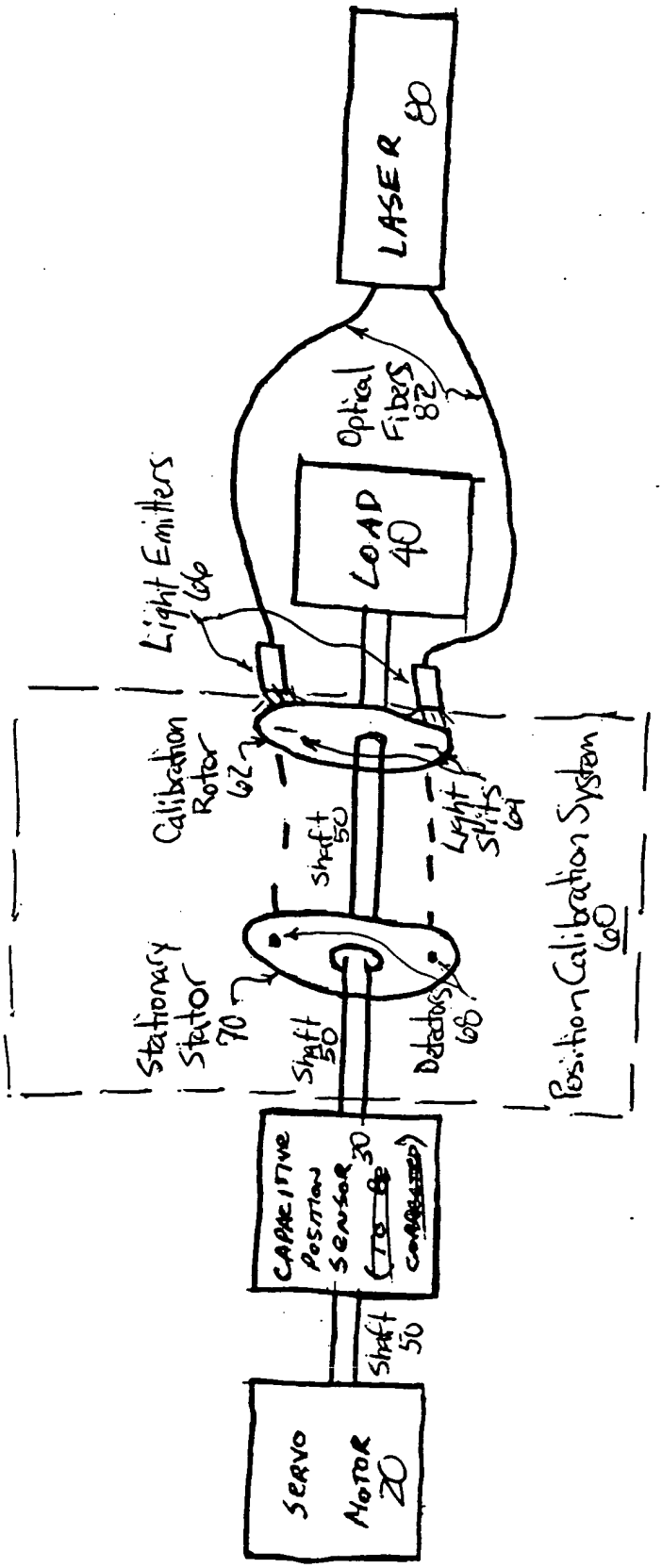


FIG. 2

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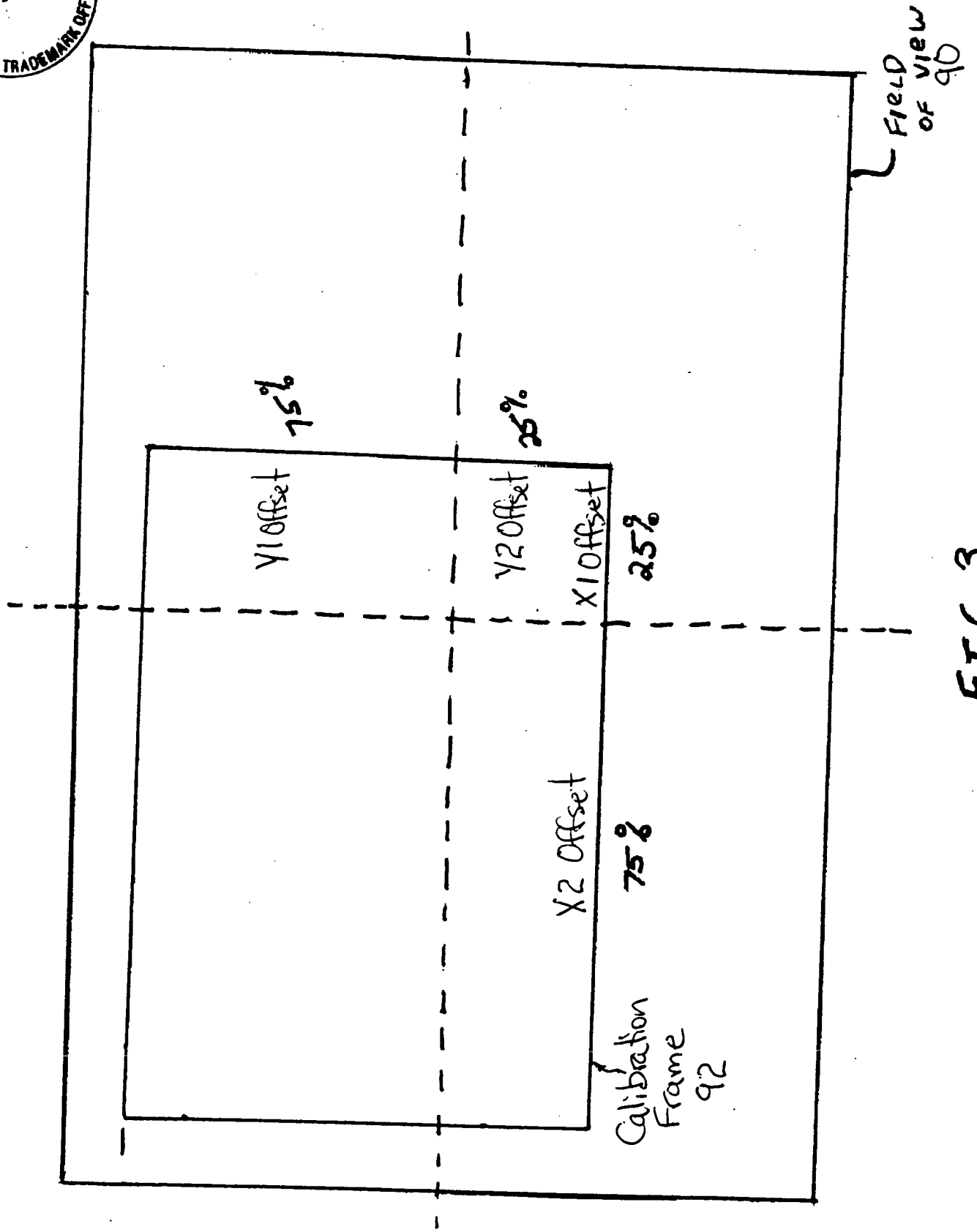


FIG. 3

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Appl. No. 10/057,168

Annotated Sheet

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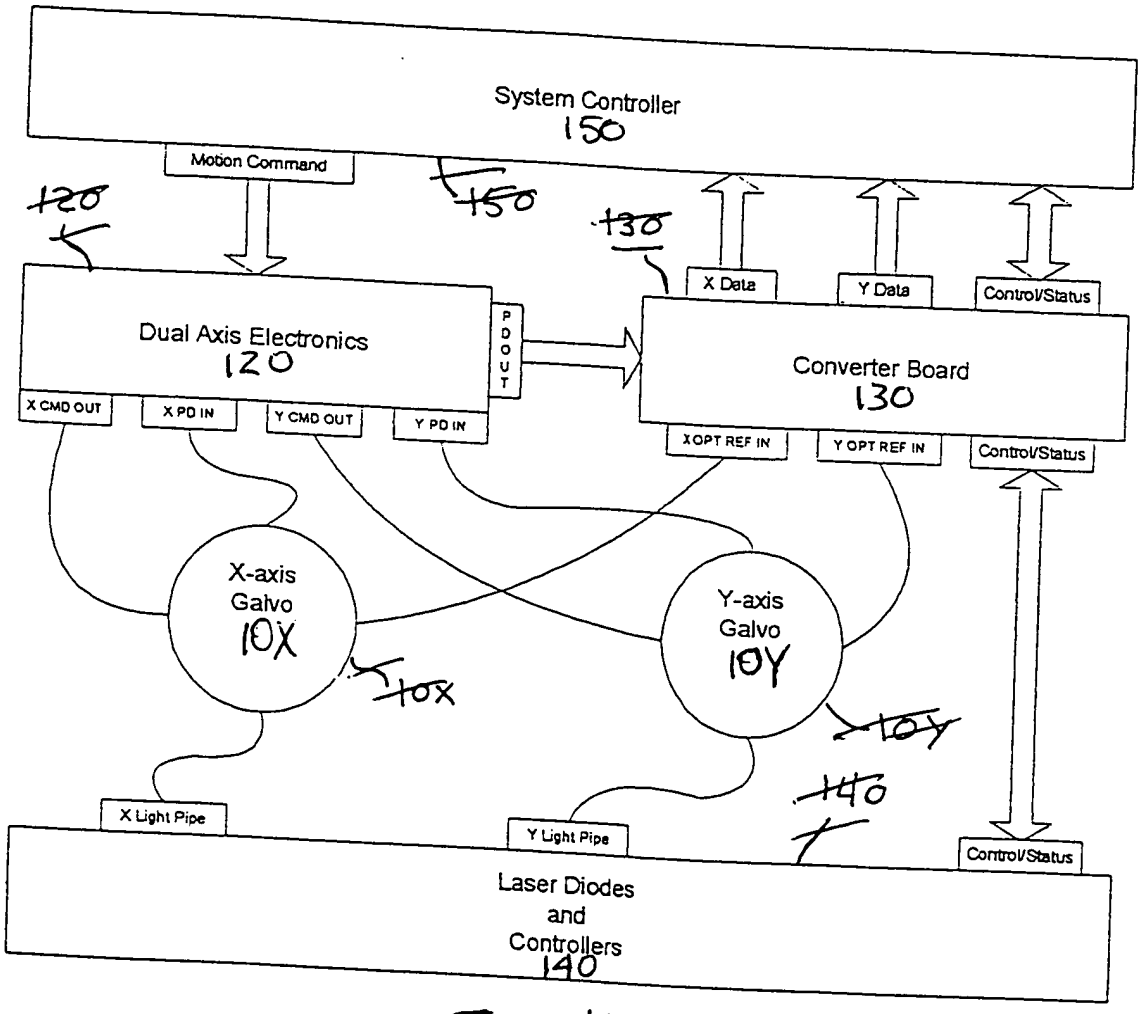


Fig 4